

**ADMINISTRATION & LEGISLATION COMMITTEE
MINUTES OF MAY 11, 2009
OAKLAND, CA**

Chair Green convened the meeting of the Administration and Legislation Committee at 11:05 AM. The roster of attendance is attached.

1.0 PLEDGE OF ALLEGIANCE

2.0 PUBLIC COMMENT

There was no public comment.

3.0 CONSENT CALENDAR

3.1 Minutes of April 13, 2009 Meeting

A motion to approve the consent calendar was made by Worthington; a second was made by Hosterman. The motion passed unanimously.

4.0 ADMINISTRATIVE MATTERS

4.1 Draft FY 2009/2010 Budget

Swanson requested the Committee to release the proposed draft budget for FY 2009/ 2010. He stated that in this draft budget, total revenues and expenditures are expected to increase from approximately \$54.4 million in FY 2008/2009 to an estimated \$78.7 million in FY 2009/2010. This increase is required to accommodate the deferral of certain project activities that were expected to occur in FY 2008/2009 to FY 2009/2010. In addition, significantly increased construction management and oversight activities by the CMA on the I-80 ICM project as well as design work on the I-880 Southbound HOV Lane extension, the I-580 Westbound HOV Lane and right-of-way acquisition on the I-580 Corridor also drive the higher project revenue and expenditure projections for the coming fiscal year. The administrative component of the proposed FY 2009/2010 budget is being held to a 1.1 percent growth over the previous fiscal year. A motion to approve staff recommendation was made by Haggerty; a second was made by Harper. The motion passed unanimously.

5.0 CONTRACTS, AGREEMENTS & CONSTRUCTION STATUS REPORTS

5.1 I-580 Tri-Valley Rapid Transit Corridor Improvements (RM 2 Project 32.1): Subproject 32.1f: EB I-580 HOT Lane: Request to Amend Project Agreements and Contracts

Akkawi requested the Committee to recommend that the Board authorize the Executive Director or his designee to negotiate and execute an amendment to the existing contract with URS Corporation to increase the amount of their contract by \$750,000. The amendment will provide funding for the preparation of the traffic and revenue model for dual HOT lanes and the additional technical studies required by the environmental document process to clear a dual lane HOT project. A motion to approve staff recommendation was made by Haggerty; a second was made by Hosterman. The motion passed unanimously.

5.2 Route 84/ Ardenwood Boulevard Park and Ride Lot Project (Regional Measure 2 Project 29.5) Authorization for Additional Construction Contingency Funds

Akkawi requested the Committee to recommend that the CMA Board authorize an additional \$220,000 in construction contingency funds. The additional funds will be used to construct City of

Fremont mandated changes to project plans and to construct additional improvements requested by AC Transit. A motion to approve staff recommendation was made by Worthington; a second was made by Haggerty. The motion passed unanimously.

5.3 Mandatory Race Conscious DBE Program

Brazil informed the Committee that the Department of Transportation (Caltrans) adopted a race conscious program based on the Federal Highway Administration's (FHWA) approval of the 2009 Disadvantaged Business Enterprise (DBE) Annual Overall Goal. She stated that the FHWA approval requires immediate implementation of the new DBE Program that includes a race conscious component. As part of the implementation of this race conscious program, local agencies must also change to a race conscious DBE program to maintain federal fund eligibility. She requested the Committee to recommend that the CMA Board authorize the Executive Director or his designee to sign the DBE Race-Conscious Implementation Agreement with Caltrans. A motion to approve staff recommendation was made by Worthington; a second was made by Javandel. The motion passed unanimously.

5.4 I-680/I-880 Cross Connector Study PSR/PDS

Todd stated that this project is funded by the Alameda County Transportation Improvement Authority (ACTIA) and the project study has been on hold since last October due to the lack of Caltrans oversight resources. The project is expected to be re-started in Summer 2009, subject to Caltrans oversight resource availability, and completed by Spring 2010. Staff is working with ACTIA to extend the agreement expiration date to September 2010. This item is for information only.

5.5 I-580 San Leandro Soundwall Project Authorization to Award Construction Contract

Todd requested the Committee to recommend that the Board award the construction contract to the lowest responsive and responsible bidder and authorize the Executive Director, or his designee, to execute a construction contract. The Engineers Estimate for this construction is approximately \$6.2 million excluding contingencies and the project is funded with federal funds. He informed the Committee that the CMA received 4 bids and the bids were opened on May 7, 2009. The lowest responsive and responsible bidder is Gordon N. Ball, Inc. A motion to approve staff recommendation was made by Haggerty; a second was made by Javandel. The motion passed unanimously. .

6.0 LEGISLATION/PUBLIC AFFAIRS

6.1 Sacramento Report

Fay stated that \$6.85 billion bonds were sold by the State which will allow the continuation of stalled public works projects. More than \$5 billion of the bonds sold were "Build America Bonds" (BAB) authorized by Congress in February as part of the federal stimulus package. He also went through a list of legislations and CMA's position on these bills. Green noted that on the list of legislations, there are two bills that ACTA is supporting and suggested that the CMA adopt the same position as ACTA. After some discussions, Haggerty made a motion to support AB 468 (Hayashi) and AB 652 (Skinner); a second was made by Worthington. The motion passed unanimously.

6.2 Washington, DC Report

Fay informed the Committee that the House and Senate have approved a final budget resolution. The House Transportation and Infrastructure (T&I) Committee are working on moving the reauthorization of SAFETEA-LU forward. Chairman Oberstar would like to have the bill on the floor later this spring

and is intent on meeting the September 30th expiration deadline. During a House T&I hearing on April 28th, Chairman Oberstar suggested switching within two years from the current gasoline tax to a mileage-based tax.

6.3 AB 1414(Hill): Transportation Programming

Fay stated that this bill was significantly amended to include the following changes that will reform the STIP programming process: (a) Extend the STIP programming period from 5 to 6 years; (b) County shares would be calculated during each STIP cycle, and other county share changes are proposed; (c) Clarify the process that the CTC uses to accept or reject an RTIP; (d) Allow for bonding against county shares ;and (e) Clarify the development of an allocation plan, which is when STIP revenue falls short of estimates; and (f) Creates a “master” STIP which would include all projects funded through the STIP, TCRP, CMIA, TCIF, and other CTC administered programs. Fay requested the Committee to recommend that the CMA support this bill. A motion to approve staff recommendation was made by Haggerty; a second was made by Sbranti. The motion passed unanimously.

6.4 SB 406 (DeSaulnier): Climate Change Planning

Fay stated that this bill would allow regional planning agencies to impose a vehicle registration fee to fund the development and implementation of regional blueprint plans associated with SB 375 – climate change. SB 406 authorizes metropolitan planning organizations to impose up to a \$2 surcharge on each vehicle registered within the region. If the population exceeds 300,000 then all amounts above \$1 must be used for grants to cities and counties for planning and projects related to implementing a regional blueprint plan. In the Bay Area, the resolution imposing the surcharge must be adopted by both MTC and ABAG. Fay requested the Committee to recommend that the CMA support SB 406 if it is amended to provide funding to CMAs for SB 375 activities. A motion to approve staff recommendation was made by Haggerty; a second was made by Worthington. The motion passed unanimously.

7.0 CLOSED SESSION

7.1 Conference with legal counsel regarding personnel matter, pursuant to Government Code Section 54957

7.2 Report on closed session

Neal Parish, CMA Legal Counsel, stated that there is nothing to report.

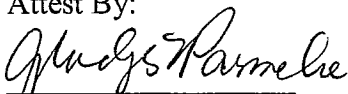
8.0 STAFF AND COMMITTEE MEMBER REPORTS

There was no report.

8.0 ADJOURNMENT/NEXT MEETING: JUNE 8, 2009

The meeting was adjourned at 12:50 p.m.

Attest By:



Gladys V. Parmelee
Board Secretary



ALAMEDA COUNTY CONGESTION MANAGEMENT AGENCY

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ADMINISTRATION AND LEGISLATION COMMITTEE MEETING ROSTER OF MEETING ATTENDANCE

May 11, 2009

ACCMA Committee Meeting Room
1333 Broadway, Suite 220, Oakland CA 94612

MEMBERS	Initials	ALTERNATES	Initials
Mark Green, Chair –City of Union City			
Greg Harper, Vice Chair – AC Transit		H.E. Christina Peeples - AC Transit	
Scott Haggerty – County of Alameda			
Councilmember John Chiang – City of Piedmont		Garrett Keating – City of Piedmont	
Farid Javandel – City of Albany		Peggy Thomsen – City of Albany	
Marshall Kamena – City of Livermore		Marjorie Leider – City of Livermore	MRL
Tim Sbranti - City of Dublin		Jennifer Hosterman – City of Pleasanton	JH
Nate Miley – County of Alameda			
Larry Reid – City of Oakland			
Kriss Worthington – City of Berkeley		Tom Bates – City of Berkeley	

CMA STAFF	Initials	CMA STAFF & CONSULTANTS	Initials
Dennis Fay, Executive Director		Gladys Parmelee – Exec Asst & Board Secretary	
Frank Furger, Chief Deputy Director		Liz Brazil – Contracts Administrator	
Dick Swanson, Director of Finance & Admin.		Steve Haas – Senior Transportation Engineer	
Yvonne Chan – Accounting Manager		John Hemiup - Senior Transportation Engineer	
Christina Muller –Administrative Manager		Vivek Bhat - Assoc . Transportation Engineer	
Cyrus Minoofar - Manager of ITS	CM	Jacki Taylor – Engineering Assistant	
Matt Todd - Manager of Programming		Laurel Poeten - Engineering Assistant	
Ray Akkawi – Manager of I-580 Corridor			
Beth Walukas – Manager of Planning	CAW		
Diane Stark, Senior Transportation Planner			
Saravana Suthanthira, Senior Trans. Planner		Zack Wasserman – WRBD	
Bijan Yarjani – Senior Transportation Engr.		Neal Parish - WRBD	